

EXHIBIT 5

Email From Musk re: Hansen

From: erm@tesla.com [erm@tesla.com]
Sent: 8/3/2018 11:43:09 AM
To: Nicholas Gicinto [nick.gicinto@tesla.com]
Subject: Re: Our Conversation

Exhibit #

Jones 07

01/25/22 RK

Ok, sounds like a conspiracy nut

On Aug 3, 2018, at 11:21 AM, Nicholas Gicinto <nick.gicinto@tesla.com> wrote:

Hi Boss,

We are asking Yusuf and ER to lead an investigation into Mr. Hansen's allegations, including my team if necessary. It is my understanding there is little to no truth to what he has alleged. As for what I have direct knowledge of that Hansen alleges, there are numerous assumptions that are coloring his conclusions. I took the cartel investigation allegations seriously, but our independent efforts to corroborate his conclusions were not successful. He relies on unnamed or anonymous sources, and we could not back up his conclusions. His standards for investigative best practices appear to be questionable or he is simply misinformed. I asked for a meeting with him to better understand his investigation, especially given that it's not his role to perform these investigations, but as he stated in his email, he is not inclined to attend. I had no awareness of any of the other investigations that he claims I was briefed on.

As background, he was an FTE who was let go as part of the RIF but retained as a contractor. It is my understanding that he was counseled on his tendency to venture too far outside his lane with investigations, and that even after his cases were referred to others because they were not part of his role, he was not inclined to let go of the control.

Happy to answer any questions you have.

Best,

Nick

From: KARL HANSEN <sa6892@gmail.com>
Sent: Friday, August 3, 2018 10:29:30 AM
To: Sean Gouthro; Elon Musk; Elon Musk
Cc: Gerhard Pretorius; Jake Nocon; Jeff Jones; Nicholas Gicinto
Subject: Re: Our Conversation

Good Day Gentleman,

Elon, hello! I was notified that you were at the Gigafactory in Sparks yesterday and unfortunately I missed your arrival. A meeting or call with you would have been great in order to convey to you the accurate accounting of facts regarding the significant and ongoing organized criminal theft of Tesla "scrap" and other raw materials you personally stated you were concerned with on or about June 5, 2018. Also of significance are the many other criminal issues that warrant further disclosure and action; typically and directly by the principal who has the authority to execute corrective action. You failed to respond to multiple emails wherein I was cc'd regarding some of the allegations of such activity and I find that to be absolutely astounding. I know everyone has very busy travel schedules, but since you will presumably be on location here during the same time as your new Senior Manager of Global Investigations, Gerhard Pretorius in addition to other new senior executives/managers now overseeing all elements of Tesla's Security and Investigations departments, I have included you in this correspondence.

I do understand that when a company is undergoing a series of changes it is inevitable that the transition periods can be a headache and require patience by everyone involved. However, anyone in a leadership position, especially each of you in positions of authority with the responsibility for the safety & security of thousands of employees should not have to be reminded of the requirement to disseminate information that if not promptly followed up upon, could lead to catastrophic consequences. Obviously, it is critical that there is no breakdown in honest and factual communication pertaining to investigations that reveal a potential for significant threats, dangerous working conditions, ongoing criminal activity, and risks to the safety and security of the company and to employees.

I have repeatedly conveyed significant findings during my course of investigating several "highly sensitive/highly secretive" situations here at the Gigafactory; recent, current, and ongoing investigations that from the perspective of a professionally trained investigator and former federal law enforcement professional pose a potentially significant risk to Tesla's operations, the safety of employees and the overall security of the facility. I have repeatedly been very clear about the need for briefings, the urgent need to share information to convey the seriousness of these situations to management, and reiterated the dire need for ongoing, further, and thorough communication and investigation into these matters. Despite my efforts information has not been communicated efficiently, thoroughly, accurately, or with any real sense of concern whatsoever. Because of the high risk and potentially damaging nature of these incidents, I am going to make known to everyone here that I have brought information related to these incidents to the direct attention of Sean Gouthro, Nick Gicinto and Jake Nocon. I was told that Nick was directly communicating the information to Elon. Therefore, I am replying to everyone on this email thread and copying Elon in.

Moving on, just an FYI to everyone on the thread of communication here, I apologize for the seemingly delayed response but I did not receive any of these correspondence until Sean Gouthro forwarded this string of emails to my personal email account at 1630 on Tuesday July 31, 2018. Unfortunately, it has been two weeks without access to my Tesla email. All other former Tesla employees who transitioned to US Security had their information transferred expeditiously. I have followed-up to inquire about this several times and was eventually informed that Tesla processed and granted access to all other transitioning employees, but a directive was given to restrict processing for me. As of today, I still do not have any access to my Tesla email account. With that, I hope you understand that I was not intentionally ignoring these communications, but rather, I have been intentionally restricted from accessing them.

Gerhard, it is my understanding that you very recently joined the Tesla team as Senior Manager of Global Investigations. Welcome to Tesla!

Nick, I appreciate your email on Sun. July 22, 2018 providing your recap of our July 18, 2018 phone conversation. Obviously, I have not been granted access to my Tesla email account and therefore did not receive your subsequent email communications until Sean Gouthro very recently forwarded this entire email thread to my personal email account. Perhaps you or Sean have some ability to resolve this access issue? If so, that would be greatly appreciated.

In specific response to your email dated Sunday July 22, 2018, I do not feel comfortable sending a generic response confirming that I entirely agree with your recap of our discussion. There are several other topics we discussed that day and other communications I have had with you, Jake Nocon and Sean Gouthro, of which Jeff Jones is aware, and which I deem critical to ongoing investigations. Since we are all on one platform here and with open dialogue, I will recap the series of these communications below to assure everyone is on the same page and information is being accurately conveyed to all involved.

Around the beginning of April 2018, under the supervision and direction of Sean Gouthro, I was tasked to investigate a myriad of situations at the Tesla Gigafactory. Some investigations pertained to very common issues that frequently occur on the premises of any large-scale manufacturing facility. However, between a 3-month period (April, May, and June 2018) I was tasked by Sean Gouthro to exclusively conduct investigations into a few high priority, high-risk cases, of complex nature. A few of these investigations were of such serious sensitivity that I was directed to conduct my investigations privately, without collaboration or sharing of any information with peers in the investigation department, and to disregard standard department policy. With that, I was directed not to formally open these cases in Tesla's investigations database system and to refrain from using the internal Tesla system to document information pertaining

to these cases, essentially preventing any trace of these incidents/investigations from being on any formal record within any Tesla database. I was repeatedly told by Sean Gouthro that I was the only person he trusted to conduct these “off the record” investigations due my background and experience (notably, a former Federal Investigator, Protective Service Special Agent with top secret security clearance assigned to the global personal security detail (PSD) for the 21st and 22nd U.S. Secretaries of Defense, my record as a former U.S. Army Criminal Investigations Command (USACIDC) Special Agent (international and national) having conducted 147 felony criminal investigations with a 95% solve rate, my involvement with over 100 administrative and felony criminal investigations in my role as a USACIDC Intern, and the successful completion of an array of other specialized training and certifications). At one point, Sean Gouthro directed me to bypass him with details related to evidence and information discovered in my investigations and to move forward communicating directly with Nick Gicinto and Jake Nocon.

While I was still a Tesla employee and since my transition to US Security, I have continued to keep the lines of communication open, especially because it is critical that the status of open investigations are thoroughly briefed on scope, situation, key players, current status, material information obtained during the course of the investigation, and recommended next-steps to whoever these investigations are handed off to. Unfortunately, and for reasons unbeknownst to me, my ongoing attempts to communicate with management went ignored for over a month prior to and after the transition to US Security. Except for Nick’s email here “recapping” a phone conversation we had on July 18, 2018, presumably at the request of Sean Gouthro who according to Nick “didn’t really know how to respond to you” (me) there has been no interest and no willingness from Tesla management to have any information about these cases communicated to anyone, essentially closing the investigations with no follow-up and while the serious problems continue. My attempts to communicate essentially went ignored for 4-6 weeks. I am also quite shocked that Nick’s request per the email on this thread only mentions one particular case (cartel) despite knowing that the course of my other investigations uncovered various issues of major concern that required prompt attention and thorough follow-up.

Here is an overview of the specific cases I have investigated and have shared serious concerns about with no regard and no resolution.

- Drug cartel infiltration of the Gigafactory and organized illegal drug cartel related trafficking operations on site at the Gigafactory (initial report deemed significant enough that it was provided directly to Tesla by law enforcement)
- Possible drug cartel involvement with Tesla’s supply chain through Mexico in relation to the lithium mines Tesla contracts with in Sonora, Mexico to acquire the lithium used to produce batteries in coordination with Panasonic. And which is the primary ingredient found in 80% of the crystal methamphetamine illegally trafficked into the United States by the Sinaloa Drug Cartel; aka “Super Meth”
- An operation pertaining to the mass production of and ongoing use of counterfeit access badges by unknown individuals gaining entry onto Gigafactory property, into the Gigafactory facility, and into various special access areas (HAZMAT) of the Gigafactory during all days of the week and during all hours of the night and day.
- Numerous cases involving what appears to be blatant attempts to dismantle factory equipment (scissor lifts) and remove critical parts such as lug nuts leaving the equipment in a condition that can cause serious harm or death to other employees (union vs. non-union retaliation)
- Highly organized theft operations of Tesla property including massive amounts of materials such as copper to the tune of many millions of dollars that has “vanished” from Tesla
- Highly organized theft operations of Tesla material known to/in coordination with senior level management of Tesla contractors and the award of construction contracts (union vs non-union) in coordination with senior level management employees of Tesla itself, and contract fraud and kickbacks to senior level Tesla superintendents and construction management staff
- Information related to the potential bid rigging of contractors, falsification of commissioning paperwork, and organized theft of Tesla material by contractors

- Situations pertaining to contract employees' fear of retaliation and of being terminated immediately after witnessing and subsequently reporting of the theft of Tesla property/materials. (One incident of reporting prevented the removal of \$13,000 of copper belonging to Tesla, the arrest of two non-employed individuals with counterfeit access badges (one of whom was detained by federal agents and deported) and all in coordination with active employees at the Gigafactory. The reporter was terminated hours after reporting.

The above list is a general overview of some of the findings during the course of my investigations. I have repeatedly communicated this information and more specifically, the fact that these situations are of a concerning nature. I am astounded by Nick's sudden interest in grabbing the "data dump" related to my investigation into the cartel (we all know a "data dump" turnover at one brief meeting with no further communication is essentially worthless - and that you have a copy of my preliminary report) however, at this point, it has been more than obvious that there is no genuine desire for my assistance in transferring these investigations over in a manner that even comes remotely close to meeting bare minimum standards for industry best practices with respect to the responsible transfer of cases requiring further investigation.

Therefore, I am having difficulty understanding why, after repeated attempts to engage in communications about this, being shut out of nearly all communications for over a month, and having my attempts to reach out over the course of 4-6 weeks almost entirely ignored; how it is that I can be of benefit to you at this point? I do not understand why there is interest in meeting with me, but only for specific information related to one case? From the perspective of a professional investigator, a short meeting for a "data dump" specific to one case will be of no value to anyone. Frankly, I am quite disturbed at the complete disregard for inquiry into my other cases that Sean, Nick, and Jake are very well aware of and that contain information revealing significant issues that could jeopardize Tesla, the Gigafactory, and its employees.

At this point, we all know that the meeting with me is nothing more than a save face, CYA/damage control meeting. There is no indication whatsoever that you have any concern for the issues I've discovered and already raised with you (which have all been provided to you, specifically Sean Gouthro and Marshall Sprott) and as evidenced by the decision to terminate my employment as an internal investigator for Tesla. Furthermore, it seems as though there is a deliberate attempt to assure certain information is kept from you because, if you have it, you're then responsible for doing something about it. The problem is that I've all relevant and responsible parties have been provided with the required information to have taken appropriate action based on probable cause and at a minimum, credible information necessary to move forward with effective and adequate investigative activity. Unless I am presented with a genuine and compelling reason that my assistance is needed for anything new or beneficial, I respectfully decline the invitation.

I hope you gentleman all have a wonderful weekend!

Please, take good care.

Karl Hansen

On Tue, Jul 31, 2018 at 4:30 PM, Sean Gouthro <sgouthro@tesla.com> wrote:

Good Afternoon Karl,

I have scheduled a meeting with Gerhard, you and I for 10am this Friday. We can meet in the SOC office at this time. Please see below for additional context and requests from your prior conversations with our team.

Thanks Karl!

Sean Gouthro, MBA, PMP | Security & Investigations | Gigafactory 1

[1 Electric Avenue | Sparks, NV 89434](#)

p 650.804.9132 | sgouthro@tesla.com

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From: Gerhard Pretorius

Sent: Tuesday, July 31, 2018 11:48 AM

To: Karl Hansen <kahansen@tesla.com>

Cc: Sean Gouthro <sgouthro@tesla.com>; Jake Nocon <jnocon@tesla.com>; Jeff Jones <jeff.jones@tesla.com>; Nicholas Gicinto <nick.gicinto@tesla.com>

Subject: RE: Our Conversation

Good day Karl,

I would appreciate some of your time on Thursday or Friday to meet up and have a conversation about the issue at hand. Being prepared with the information as requested by Nick in his communication below, will be great to get me up to date.

Sean, please be so kind and set up a meeting and location for Karl, you and me to meet up. Thursday after 15:00 or Friday morning will work for me, and I hope for Karl and you also.

Kind regards

Gerhard Pretorius | Senior Manager | Global Investigations

Phone: (510) 602-1004 Email: gepretorius@tesla.com

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From: Nicholas Gicinto**Sent:** Tuesday, July 31, 2018 11:31 AM**To:** Karl Hansen <kahansen@tesla.com>**Cc:** Gerhard Pretorius <gepretorius@tesla.com>; Sean Gouthro <sgouthro@tesla.com>; Jake Nocon<jnocon@tesla.com>; Jeff Jones <jeff.jones@tesla.com>**Subject:** Re: Our Conversation

Hi Karl,

I'm following up with you as I haven't received a response to the below. Really wanted to get your confirmation about the details of our discussion as well as the details of the investigation you had run into the alleged cartel involvement in our supply chain. Please let me know when we can grab that data dump, please. Also, wanted to let you know that Gerhard plans to be at Giga later on this week, I believe.

Thanks,

Nick

From: Nicholas Gicinto <nick.gicinto@tesla.com>

Date: Sunday, July 22, 2018 at 8:00 AM

To: Karl Hansen <kahansen@tesla.com>

Cc: Gerhard Pretorius <gepretorius@tesla.com>, Sean Gouthro <sgouthro@tesla.com>, Jake Nocon <jnocon@tesla.com>, Jeff Jones <jeff.jones@tesla.com>

Subject: Our Conversation

Hi Karl,

Thank you so much for taking the time to speak with me this week. I'm really glad we were able to clarify a few things related to hiring and your background. I also appreciate your passion for the mission at Tesla, and for your care and concern to use your skills and talents in the most beneficial way possible. As we discussed, I wanted to recap our discussion so we were on the same page going forward. Would you do me a favor and please respond to this to let me know if I got all of this correct? For brevity, I've summarized it as the following:

1. I clarified that my team previously reached out to US Securities for a contracting role on our team to fill an immediate need. This was not an FTE role, and ultimately the role never materialized. We did not take on a US Securities contractor to support investigations.
2. While my team does have FTE slots now available, those roles have scaled back from what was originally identified and are highly selective. We are not preferring any candidates (despite what others may have speculated about) and are actively working with recruiters to source candidates for us, and anyone is free to apply to the job posting on the website.
3. Any confusion about the above two points was unintentional and certainly not malicious on anyone's part.
4. Newly arrived Sr. Manager for Investigations Gerhard Pretorius is also sourcing candidates for his team in Global Security.
5. I would like someone from my team to meet with you to accept turnover of your work on the possible cartel infiltration/involvement in our supply chain through Mexico. You agreed to compile your work and sit down with us to accept a turnover of that information so we may engage our vendors for further research, and officially take over that investigation from you.

I really appreciate the time you spent talking with me. I also appreciate your patience and understanding as we work through this transition time which is naturally causing a lot of churn and requiring flexibility from everyone. I will be in Reno on Wednesday if it makes sense to meet up then, otherwise, I look forward to getting together at your convenience. Please let me know if I missed anything.

Kind Regards,

Nick